

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

United States

)

)

v.

)

Case No. 5:22-cr-00078-LCB-NAD-1

)

John Hornbuckle

)

**Notice of Position Regarding Defendant's Motion
to Reduce Sentence Under 18 U.S.C. § 3582(c)(2)**

The Office of the Federal Public Defender ("FPD") submits this notice regarding Amendment 821 to the U.S. Sentencing Guidelines and its potential retro-active application in this case. The Court has entered a Standing Order¹ appointing the FPD to represent defendants who either (1) are included on a list of defendants potentially eligible for a sentence reduction, under 18 U.S.C. § 3582(c)(2) and based on Amendment 821, in this District or (2) have filed a pro se motion seeking such a reduction. The Standing Order further provides that it "is limited to those cases affected or potentially affected by this amendment"

In this case, Mr. Hornbuckle has filed a pro se motion for a § 3582(c)(2) reduction based on Amendment 821. Doc. 49. In compliance with the Standing Order, the FPD has reviewed the record from Mr. Hornbuckle's sentencing. Based on that review, the FPD concludes that this case is not affected or potentially affected by Amendment 821. Accordingly, the FPD does not intend to take further action under

¹ The order is available on the Court's website at <https://www.alnd.uscourts.gov/sites/alnd/files/Standing%20Order%20re%20Amendment%20821.pdf>.

§ 3582(c)(2) or to further represent Mr. Hornbuckle in these proceedings, unless otherwise directed by the Court.

This notice reflects only the FPD's own conclusion and is not intended to reflect on the merit of Mr. Hornbuckle's pro se motion or otherwise to prejudice his request for a reduced sentence.

Respectfully submitted,

Kevin L. Butler
Federal Public Defender

/s/ Alexandria Darby
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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2025, I electronically filed the foregoing via this Court's CM/ECF system, which will send notice of such filing to all counsel of record. A copy has also been mailed to the following address:

Mr. John Hornbuckle
Reg. No. 96094-509
FPC Pensacola
Federal Prison Camp
P.O. Box 3949
Pensacola, FL 32516

Respectfully submitted,

/s/ Alexandria Darby
Appellate Attorney